



## Department of Energy

Idaho Operations Office  
850 Energy Drive  
Idaho Falls, Idaho 83401-1563

April 8, 1999

Mr. Wayne Pierre, Team Leader  
Environmental Cleanup Office  
U.S. Environmental Protection Agency  
Region X  
1200 Sixth Avenue  
Seattle, Washington 98101

Mr. Dean Nygard, Bureau Chief  
Remediation Bureau  
Idaho Department of Health & Welfare  
Division of Environmental Quality  
1410 N. Hilton  
Boise, Idaho 83706

**SUBJECT: Request for Extension of the Comprehensive OU 4-13 Draft Record of Decision (ROD) and Related Documents – (OPE-ER-52-99)**

Dear Mr. Pierre and Mr. Nygard:

With this letter, the Department of Energy-Idaho (DOE-ID) is formally requesting an extension of the July 31, 1999, Federal Facility Agreement and Consent Order (FFA/CO) enforceable milestone for the Comprehensive OU 4-13 Draft ROD. The reason for this request, made pursuant to Section 13.1 of the FFA/CO, is the recent detections of nitrate in the groundwater at levels exceeding the MCL. There is a lack of knowledge as to the source, extent of contamination and fate and transport of this contaminant at the present time.

The Draft Proposed Plan (April 1999) was developed based on the Final Waste Area Group (WAG) 4 Comprehensive (OU 4-13) Remedial Investigation/Feasibility Study (RI/FS). Soil samples taken under the OU 4-13 RI/FS had not shown nitrate contamination. However, cumulative analysis of groundwater monitoring samples taken to support the OU 4-12 CFA Landfills ROD provided information on groundwater contaminated with nitrates above maximum contaminant levels (MCLs) that were unknown at the time the Comprehensive RI/FS was written. Therefore, the RI/FS and the Proposed Plan did not adequately address groundwater contamination. These circumstances were unforeseen and unavoidable.

To correct this omission, an interim action ROD (OU 4-13A) should be created for the surface contamination sites. The existing draft proposed plan would be revised to include a discussion on the new interim action designation and a more extensive description of the groundwater issue. The groundwater monitoring summary report will include recommendations to close data gaps, including the proposed number and locations of additional groundwater monitoring wells and proposed analytes. A focused supplemental RI/FS would address groundwater risks and alternatives and would be submitted. In addition, there would be a two year delay the OU 4-13B Comprehensive ROD to fill groundwater data gaps.

To complete the development and evaluation of the groundwater contamination, additional groundwater modeling, engineering evaluation, and cost estimation are being conducted. The original schedule is also affected by the need for community input into preparing our Proposed Plan. Both an INEEL Citizens' Focus Group and the CAB review of the Proposed Plan is desired before it is submitted to the general public for comment. In addition, the revised schedule anticipates an extended public comment period on the Proposed Plans. Our most recent comment period on OU 3-13 was 90 days due to public interest.

To address this issue, we are proposing the following:

1. An Interim Action OU 4-13A Record of Decision (ROD) would be created for the surface contamination sites. To support the action, the current draft proposed plan would be revised to include a discussion on the new interim action designation. Supporting information providing a description of the groundwater issue would be prepared and included in the Administrative Record. The enforceable date for this draft Interim ROD submittal is November 30, 1999.
2. To complete our evaluation of groundwater concerns, a groundwater monitoring summary report would be prepared to identify data gaps and propose the number and locations of additional groundwater monitoring wells and analytes for completing the groundwater characterization. A focused supplemental RI/FS would be prepared to address groundwater risks and alternatives. This primary document would be submitted for agency review. The deadline for the draft Supplemental RI/FS is May 31, 2001. The Comprehensive OU 4-13B Draft ROD enforceable date is January 31, 2002. This extension would allow us to drill the wells and evaluate groundwater seasonal effects so a well-informed decision can be made.

This additional time is required in order to: 1) incorporate the groundwater contamination issue in the Draft Proposed Plan; 2) prepare a Feasibility Study

Supplement Report and revise the Proposed Plan to support the Interim Action; 3) coordinate the review of the Draft Proposed Plan with an INEEL Citizens' Focus Group and the Citizens' Advisory Board (CAB) prior to submitting it for public comment; and 4) collect more information to determine the appropriate remedial action to address the nitrate groundwater contamination. Related timetable and schedules affected by the extension for both the interim action draft ROD and Comprehensive Draft ROD include finalization of the Proposed Plans, public comment periods, and submittal of the Draft Remedial Design/Remedial Action Scope of Work (RD/RA SOW). The attached schedule shows the activities leading up to submittal of the Draft RODs.

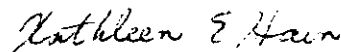
In summary, we are making this request pursuant to Section XIII, 13.1 of the FFA/CO. As a result of extending the draft OU 4-13 ROD, the new deadlines are:

- (a) The enforceable milestone requested for the OU 4-13A Interim Action ROD would be November 30, 1999;
- (b) The draft OU 4-13B Supplemental RI/FS submittal date would be May 31, 2001; and
- (c) The Comprehensive OU 4-13B Comprehensive ROD, would be January 31, 2002.

Based on the FFA/CO section 13.4, a formal response to the request from the EPA and IDHW/DEQ is required "within seven days of receipt of a request for an extension ..." to formalize this extension.


If you have any questions, please call Carol Hathaway at (208) 526-4978 or me at (208) 526-4392.

Sincerely,



Kathleen E. Hain, Manager  
Environmental Restoration Program

Enclosure

cc: K. Rose, EPA, 1200 Sixth Avenue, Seattle, WA 98101  
C. Cody, IDHW DEQ,   
T. Kluk, DOE-HQ, EM-441  
Ethan Merrill, DOE-HQ, EM-441

**Draft WAG 4**  
**Working Schedule for Proposed Plan, OU 4-13A Interim**  
**Action ROD, and Monitoring**

Submit extension approval letter to EPA/IDHW		April 8, 1999
Extension approval received from EPA/IDHW		April 15, 1999
Revise draft Proposed Plan	8 d	Apr 15 - 23, 1999
Transmit draft plan to EPA/IDHW	1 d	Apr 26, 1999
EPA & IDHW review	30 d	Apr 26 - May 26, 1999
Comment resolution	15 d	May 27 - Jun 10, 1999
Transmit draft Final Proposed Plan to EPA/IDHW		Jun 10, 1999
CAB - ER committee		Jun 15, 1999
EPA & IDHW review of Final PP	30 d	Jun 10 - Jul 9, 1999
Public meetings		Jul 12 - 16, 1999
CAB meeting presentation		Jul 20 - 21, 1999
Comment resolution on Final PP	15 d	Jul 10 - Jul 25, 1999
Printing	2 d	Jul 26 - 28, 1999
Transmit final plan to EPA/IDHW	1 d	Jul 29, 1999
Public comment period ends	30 d	Aug 1 - Sep 1, 1999
Public comment extension period	30 d	Sep 1 - 30, 1999
Write draft IA ROD	45 d	Apr 15 - May 30, 1999
Finalize format for IRC review	5 d	May 31 - Jun 7, 1999
IRC review of draft IA ROD	10 d	Jun 10 - 21, 1999
Revise draft IA ROD	20 d	Jun 24 - Jul 15, 1999
Finalize format for DOE final review	2 d	Jul 16 - 18, 1999
DOE final review	5 d	Jul 21 - 25, 1999
Finalize draft IA ROD	5 d	Jul 28 - 30, 1999
Complete Responsiveness Summary	9 d	Oct 1 - 10, 1999
IRC & DOE internal review of RS	5 d	Oct 13 - 17, 1999
Revise and incorporate into IA ROD	2 d	Oct 20 - 21, 1999
Transmit draft IA ROD to DOE	1 d	Oct 22, 1999
Transmit draft IA ROD to Agencies	1 d	Oct 24, 1999
Final review period	30 d	Oct 25 - Nov 25, 1999
Enforceable Deadline for Draft IA ROD		Nov 30, 1999

**Draft WAG 4**  
**Working Schedule for Proposed Plan, OU 4-13B ROD**

Extension approval received from EPA/IDHW	April 15, 1999
Submit Draft Statement of Work to EPA/IDHW	Jan 31, 2001
Submit Draft Supplemental RI/FS to EPA/IDHW	May 31, 2001
Submit Draft Proposed Plan to EPA/IDHW	July 31, 2001
Public Review and Comment	Aug - Sep, 2001
Enforceable Deadline for Draft ROD to EPA/IDHW	Jan 31, 2002

Enforceables are highlighted in yellow